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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,401	11/24/2000	Krister Hansson	TPP 31352	2813

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EXAMINER

PARKER, FREDERICK JOHN

ART UNIT

PAPER NUMBER

1762

DATE MAILED: 05/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/718,401	Applicant(s)
Examiner	Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

Responsive to communication(s) filed on 4/30/02

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

Claim(s) 1-28 is/are pending in the application.

Of the above claim(s) 26-27 is/are withdrawn from consideration.

Claim(s) 1-5, 7-10, 12-14, 16-25, 28 is/are allowed.

Claim(s) 6, 11, 15 is/are rejected.

Claim(s) is/are objected to.

Claim(s) are subject to restriction or election requirement

### Application Papers

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

All  Some\*  None of the:

Certified copies of the priority documents have been received.

Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  Interview Summary, PTO-413

Notice of Reference(s) Cited, PTO-892  Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

## Office Action Summary

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***Response to Amendment***

***Election/Restriction***

1. Newly submitted claims 26-27 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claims 26-27 are product claims whereas the original claims were entirely directed towards a method.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 26-27 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. Claims should be canceled in response.

***Drawings***

2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 4/30/02 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

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**Specification**

3. The disclosure is objected to because of the following informalities: amended page 9, first paragraph: lines 4-5 appear to be missing one or more words. Appropriate correction is required.

**Claim Objections**

4. The amendments in response to the Claim objections of the Previous Office Action are acknowledged and appreciated, and the Examiner withdraws the objections.

5. Claims 1,2,25 are objected to because of the following informalities: - Claim 1, last line, after "repellant", lacquer should be inserted. - Claim 2, line 1, "sad" is a mis-spelling. -Claim 25, line 2, "laquer" is mis-spelled, and the phrase "laquer a configuration" appears to be missing one or more words. Appropriate correction is required.

**Claim Rejections - 35 USC § 112**

6. The amendments in response to the 35 USC 112 rejections of the Previous Office Action are acknowledged and appreciated, and the Examiner withdraws the rejections except as repeated below.

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7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 6,11,15 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claim 6 is vague and indefinite as amended because the meaning of the phrase "while a smaller amount consist of diamond" is unclear in context since the claim reads the first amount **consists** of one of the group **consisting of** silica, alumina, and silicon carbide.

- Claim 11 is vague and indefinite because the relative term "semi-translucent" fails to convey the intended transparency. Applicant argues that this phrase has the meaning of "some" transparency. This argument is redundant and confusing. If something opaque has no light transmission and transparency is essentially completely light transmitting, by definition translucent is in-between, i.e. transmitting some light. "Semi" means to have the characteristics of something. Hence, the meaning of "semi-translucent" in context is unclear and confusing. The rejection is maintained. Deletion of "semi" is suggested.

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- Claim 15 as amended is vague and indefinite because it is unclear how the stored original which forms the decor layer is processed which results in a surface structure.

9. The prior art does not teach nor suggest a process of applying plural coatings in which a surface is coated with a decor layer, followed by printing of a wetting repellent lacquer at least partially matching the decor layer, and then applying a UV or electron curing lacquer layer thereon which results in its repulsion from areas coated with the wetting repellent lacquer. Claims 1-25,28 are allowable over the prior art, but claims 6,11, and 15 are rejected under 35 USC 112 above. Claims 26-27 are withdrawn under section 1 above.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory

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action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred J. Parker whose telephone number is (703) 308-3474.



**FRED J. PARKER**  
**PRIMARY EXAMINER**

Fred J. Parker

May 28, 2002

fr9-718401